

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application

Inventor: M. ARIMOTO, et al.

Group Art Unit: 2440

Appln. No.: 10/682,507

Examiner: J. Cloud

Filed: October 10, 2003

For: NETWORK MONITORING SYSTEM

CERTIFICATION UNDER 37 CFR §1.97(e)(1)

Assistant Commissioner of Patents  
Washington, DC 20231

Dear Sir:

In fulfillment of 37 CFR 1.97(c)(1) and 1.97(e)(1), it is hereby certified that each item of information contained in the attached Information Disclosure Statement was first cited in any communication (see the attached copy of a Canadian Office Action dated August 29, 2008) from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

/James Edward Ledbetter/

Date: November 26, 2008

James E. Ledbetter  
Registration No. 28,732

JEL/krw

ATTORNEY DOCKET NO. 008612-03103  
DICKINSON WRIGHT, PLLC  
1875 EYE STREET, NW, Suite 1200  
WASHINGTON, DC 20006  
TELEPHONE: (202) 457-0160  
FACSIMILE: (202) 659-1559

DC 8612-3103 128618